

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**KATHY OERTELT  
175 WILLIAM STREET  
TONAWANDA, NY 14150,**

**1:15CR00013-001**

**Defendant,**

**and**

**GREAT LAKES TRANSPORT SOLUTION LLC  
ATTN: PAYROLL  
4254 RIDGE LEA ROAD, SUITE 200  
AMHERST, NY 14226,**

**Garnishee.**

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**FINAL ORDER OF GARNISHMENT**

A Writ of Continuing Garnishment was duly issued by this Court and personally served on the Garnishee on or about March 8, 2019.

Pursuant to the Writ of Continuing Garnishment, the Garnishee filed its Answer on March 21, 2019 (Dkt. #21). In its Answer, the Garnishee states that at the time of the service of the Writ, the Garnishee, had, and continues to have, in its possession and under its control, personal property belonging to and due the defendant, in the form of earnings. In its Answer, the Garnishee states that there is available future earnings under this garnishment after deductions are made for statutory withholdings.

On or about March 8, 2019, the Defendant was notified of her right to a hearing and has not requested a hearing to object to the Answer of Garnishee or determine exempt property.

Whereupon the Court, having considered the Application for a Writ of Continuing Garnishment against the earnings, to include commissions, of the Defendant, the Answer of the Garnishee, and noting that the Defendant has not exercised her right to request a hearing, now finds that the entry of the Garnishee Order is in all respects proper.

IT IS HEREBY ORDERED that the Garnishee pay, to Plaintiff, United States of America, in care of the Clerk, United States District Court, at semi-monthly or at least monthly, the lessor of:

1. Twenty-five percent (25%) of the judgment debtor's non-exempt disposable earnings, to include commissions; or

2. All amounts of judgment debtor's disposable earnings in excess of thirty (30) times the federal minimum hourly wage in effect at the time the debtor's earnings are payable.  
See 15 U.S.C. § 1673(a).

IT IS FURTHER ORDERED that all monies previously withheld by the Garnishee in accordance with the Writ of Continuing Garnishment, shall be paid immediately to the United States, in care of the Clerk, United States District Court.

IT IS FURTHER ORDERED that the Garnishee continue to withhold such additional non-exempt, personal property belonging to KATHY OERTELT, SSN: XXX-XX-6812, as should come into the Garnishee's possession or control in the future until the above-referenced judgment is either paid in full, or otherwise satisfied, or the Defendant separates from the Garnishee's employment pursuant to Title 28, United States Code, Section 3205(c)(10), and that the Garnishee pay over such property to Plaintiff.

Checks should be payable to:

**CLERK, U.S. DISTRICT COURT**

and mailed to:

**CLERK, U.S. DISTRICT COURT**

2 Niagara Square  
Buffalo, New York 14202

SO ORDERED.

Dated: June 27, 2019  
Buffalo, NY

/s/William M. Skretny  
WILLIAM M. SKRETNY  
United States District Judge